

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

Bail Appl..No. 7498 of 2006()

CMP.5506/2006 of J.M.F.C.,THIRUVALLA
CR.NO.70/06 OF THIRUVALLA EXCISE RANGE.
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: PETITIONER/ACCUSED

M.G.SANTHOSH, S/O.T.K.GOPI,
MYLAMOOTIL VEEDU, THIRUVALLA MUNICIPALITY.

BY ADV. SRI.K.P.SREEKUMAR
SRI.R.GIREESH VARMA
SRI.P.M.SATHEESH

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
THIRUVALLA EXCISE RANGE, THROUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-31.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO. 7498 OF 2006

DATED THIS THE 19TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Cr.No.70/06 of Thiruvalla Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of 10 liters of arrack on 23.11.2006, seeks his enlargement on bail. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 22.12.2006. Accordingly, the petitioner is directed to be released on bail with effect from 22.12.2006 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Thiruvalla and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn